

**ORDINANCE** 4393

**AN ORDINANCE AMENDING TITLE 13, WATER AND SEWERS,  
OF THE WHEELING MUNICIPAL CODE (WATER AND SEWER FEES)**

WHEREAS, the President and Board of Trustees have reviewed the recommendation of village staff regarding proposed changes to the water and sewer user charges; and

WHEREAS, a charge shall be made to the consumers of water and sewer service that is sufficient to pay the costs, maintenance, operations, and depreciation of the water and sewer systems and to pay the principal and interest of any bonds that may be issued for the construction, installation, repair and improvement of the water and sewer systems; and

WHEREAS, the President and Board of Trustees deem it to be in the best interest of the Village to amend Title 13, Water and Sewers, of the Wheeling Municipal code, to amend the schedule of fees for water consumed and sewer used to ensure sufficient funding for the operation of the water and sewer system;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

**SECTION A**

Title 13, Water and Sewers, Section 13.04.200, of the Wheeling Municipal Code, is hereby amended to read as follows:

13.04.200 Schedule of fees for water consumed.

(a) For all water billed by the Village of Wheeling during January 2009, and thereafter, the consumer shall pay four dollars and forty-two cents (\$4.42) per one thousand (1,000) gallons.

(b) Each and every water user or consumer shall pay a minimum bi-monthly rate of thirteen dollars and twenty-six cents (\$13.26) for water billed in January 2009, and thereafter.

(c) Bulk water users may purchase water from the public works hydrant at a minimum charge of seventeen dollars and sixty-eight cents (\$17.68), or to be billed in accordance with subsection (a) of this section if the amount of water purchased exceeds seventeen dollars and sixty-eight cents (\$17.68).

**SECTION B**

Title 13, Water and Sewers, Section 13.08.080(d), of the Wheeling Municipal Code is hereby amended to read as follows:

(d) Basic User Rate. There shall be and there is established a basic user rate and minimum charge for the use of and for service supplied by the sewer system of the Village. A basic user rate is established as follows:

For bills during January 2009, and thereafter, one dollar and ten cents (\$1.10) per one thousand gallons (1,000) of billed water usage;

A minimum charge, as follows:

For water billed during January 2009, and thereafter, three dollars and thirty cents (\$3.30) per bi-monthly billing period shall be applied to all users whose water consumption does not exceed three thousand (3,000) gallons per bi-monthly billing period. All non-metered residential users of the waste water system shall pay a minimum flat rate of seventeen dollars and sixty cents (\$17.60). The flat rate will allow a maximum of sixteen thousand (16,000) gallons per bi-monthly billing period.

In the event use of the sewer system is determined by the Village to be in excess of sixteen thousand (16,000) gallons per bi-monthly billing period, the Village may require such flat rate user to install metering devices on the water supply or sewer system service line to measure the amount of service supplied.

#### SECTION C

Those sections, paragraphs, and provisions of Title 13, Water and Sewers, of the Wheeling Municipal code which are not expressly amended or repealed by this Ordinance are hereby re-enacted; and it is expressly declared to be the intention of this Ordinance not to amend any portion of the Wheeling Municipal Code other than that expressly amended in Sections A and B of this Ordinance.

#### SECTION D

If any provision of this Ordinance, or any application thereof to any person, property or circumstance, shall be held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect other provisions or applications which can be given effect without the invalid or unenforceable provision or application, and to this end the provisions of this Ordinance are declared to be severable.

#### SECTION E

This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

Trustee Abruscato moved, seconded by Trustee Brady, that Ordinance No. 4393 be passed.

Trustee Abruscato Aye  
Trustee Argiris Aye  
Trustee Brady Aye

Trustee Heer Aye  
Trustee M. Horcher Aye  
Trustee P. Horcher Aye

PASSED this 22 day of December, 2008, by the President and Board of Trustees of the Village of Wheeling, Illinois.

[Signature]  
Dean Argiris  
Acting Village President

ATTEST:

[Signature]  
Elaine Simpson  
Village Clerk



APPROVED AS TO FORM:

[Signature]  
Village Attorney

To be published in pamphlet form on December 23, 2008  
by order of the Corporate Authorities of the  
Village of Wheeling.

Published in pamphlet form on December 23, 2008.

[Signature] /CB  
Village Clerk